

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

ANDREA MARGARITA TOLEDO
CADENA,

No. 3:23-cv-00443-YY

Plaintiff,

ORDER

v.

POLARIS INDUSTRIES INC., a Foreign
Corporation; and C. DELMER BRINK, a
Resident of Oregon, as Trustee of the
BRINK REV LIVING TRUST,

Defendants.

HERNÁNDEZ, District Judge:

Magistrate Judge You issued a Findings and Recommendation on August 15, 2023, in which she recommends that the Court deny Plaintiff's Motion to Remand to State Court. F&R, ECF 19. The matter is now before the Court pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b).

Plaintiff filed objections to the Magistrate Judge's Findings and Recommendation. Pl. Obj., ECF 21. Although the objections were filed one day late, the Court has considered them in reviewing the Findings and Recommendation. When any party objects to any portion of the Magistrate Judge's Findings and Recommendation, the district court must make a *de novo* determination of that portion of the Magistrate Judge's report. 28 U.S.C. § 636(b)(1); *Dawson v. Marshall*, 561 F.3d 930, 932 (9th Cir. 2009); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc).


The Court has carefully considered Plaintiff's objections and concludes that there is no basis to modify the Findings and Recommendation. The Court has also reviewed the pertinent portions of the record *de novo* and finds no error in the Magistrate Judge's Findings and Recommendation.

CONCLUSION

The Court adopts Magistrate Judge You's Findings and Recommendation [19]. Accordingly, Plaintiff's Motion to Remand to State Court [9] is DENIED.

IT IS SO ORDERED.

DATED: September 14, 2023


MARCO A. HERNÁNDEZ
United States District Judge